

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5: 20-mj-01642-JG-1

UNITED STATES OF AMERICA

v.

RICHARD RUBALCAVA

JOINT STATUS UPDATE

The defendant, Richard Rubalcava, by and through undersigned counsel, and the United States, by Assistant United States Attorney Daniel W. Smith, respectfully responds to this Court's order requesting the parties to confer and inform the Court as to the status of defendant's placement and evaluation.

As of the filing of this Notice, the defendant continues to reside at the place of pre-trial confinement, Franklin County Detention Center, and has not been transported by the United States Marshals Service to the Federal Bureau of Prisons for evaluation. The parties advise the Court that the United States Marshals Service anticipates the defendant will be transported to Butner Federal Medical Center on or about July 15, 2020. As he has not been transported, the parties cannot advise as to neither the status of the pending evaluation nor the estimated time it will require to engage in the evaluation. It appears that the COVID-19 pandemic has delayed transport to the examination facility. Notwithstanding, it is anticipated that any evaluation would be completed within 30

days. Further, if additional time is needed to complete the evaluation, the undersigned will move the Court, accordingly.

Counsel for the defendant and counsel for the government will continue to coordinate with regard to the placement of the defendant and the timeline for evaluation. The undersigned further advises the Court that Mr. Rubalcava has been in frequent communication with his counsel with regard to the status of his case and events surrounding his detention.

Respectfully submitted this 15th day of July, 2020.

G. ALAN DuBOIS
Federal Public Defender

/s/ Edward D. Gray
EDWARD D. GRAY
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LR 57.1 Counsel Appointed

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was served upon:

Daniel Smith
Assistant United States Attorney
Eastern District of North Carolina
150 Fayetteville Street, Suite 2100
Raleigh, NC 27601

by electronically filing the foregoing with the Clerk of Court on July 15, 2020, using the CM/ECF system which will send notification of such filing to the above.

This the 15th day of July, 2020.

/s/ Edward D. Gray
EDWARD D. GRAY
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